

This Page Is Inserted by IFW Operations  
and is not a part of the Official Record

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning documents *will not* correct images,  
please do not report the images to the  
Image Problem Mailbox.**

Appli. No. 10/935,290  
Amendment dated October 27, 2003  
Reply to Office Action dated October 8, 2003

### **REMARKS/ARGUMENTS**

In the Specification the paragraph bridging pages 2 and 3 of the Specification; the second full paragraph of page 3; the third full paragraph of page 3; and the paragraph bridging pages 6 and 7 of the Specification have been corrected to better describe the invention. While Applicants have added language to make it more clear that bifurcated arms "can be either rigid or flexible", this is not believed to be new matter. The argument has been previously made in the Appeal Brief filed that the bifurcated arms are generic to both rigid and flexible arms and the Examiner has agreed, pointing to both rigid and flexible arms of cited references as being bifurcated arms, as claimed.

Claims 1-5, 9 and 10 remain in the case.

Claims 6 and 7 have been cancelled.

Claim 8 has been withdrawn.

No claims have been indicated allowable.

Claim 8 has been withdrawn as the result of an earlier restriction requirement subject to being reinstated in the event a generic claim is allowed.

Claim 9 adds additional features found in Fig. 8 of the drawings.

Claim 10 adds additional feature found in Fig. 7 of the drawings.

It is noted that this is a response to the third office action in this case. It is also noted that the Examiner is no longer relying on the references previously cited in rejecting all claims of the application.

Appli. No. 10/935,290  
Amendment dated October 27, 2003  
Reply to Office Action dated October 8, 2003

Further, it is noted that following filing of a Brief on Appeal the Examiner has now cited two new references and has abandoned use of the previously cited references.

**Claim Rejections 35 USC Sec. 112**

Claims 4-7 have been rejected under 35 USC 112 with the Examiner contending that “neither the specification nor the drawings described or showed the system of Claim 3, including a pair of base units connected by connector means, an article holder connected to each of the base units, angular adjusting means of the article holders relative to its respective base unit, in addition to article securement means on each of the article holders, including strap means”.

In the Specification at page 2, line 6-9, it is clearly stated that other objects of the invention are to provide “a clamping device that is rotated with respect to the holding base, as desired, to insure secure holding of objects held by the clamping device, **or a plurality of clamping devices** in a selected orientation”.

At page 2, lines 9-13, the base unit is described. Starting at line 14 an article holder including a socket, a resilient block having a pair of oppositely extending flexible gripper straps projecting from opposite sides of the block is described. The Specification has now been amended to make it even more clear that the flexible gripper straps “form bifurcated arms”. At lines 21 and 22 an independent strap is described as being secured to the base of the socket to pass around the gripper straps and to secure objects held within the gripper straps to a surface. Page 3, lines 7 and 8 disclose that one or more of

Appli. No. 10/935,290  
Amendment dated October 27, 2003  
Reply to Office Action dated October 8, 2003

the holding base units will readily receive articles having an interiorly splined socket, or other article holders having interiorly splined sockets. In lines 14-17, it is stated that **the** article holder may include a socket with an interior wall with splines that cooperate with the exterior splines of the shaft projecting from the platform of **the** base holding unit. Bifurcated arms with or without interiorly extending flexible vanes extend from the socket to receive an article, or articles, to be held.

Obviously, the Specification, in the sections noted above, clearly sets forth that the article holder may include a socket with gripper straps forming bifurcated arms, or the article holder may include bifurcated arms with or without interiorly extending flexible vanes.

Additionally, at page 5, lines 5 and 6 it is disclosed that the embodiment of the invention shown in Figs. 1-7 discloses the holding base system 20, including a base holding unit 22 and a article holder 24. In lines 7 and 8 it is said that a pair of spaced apart base holding units 22, as shown in Figs. 8-11 each include an article holder 26. Article holder 24 is described as having bifurcated arms that are flexible holding gripper straps 96 and 98 that are formed integral with the block 70. The article holder 26 is described as having bifurcated arms 138 and 140. Clearly, the Specification discloses that the holding base unit 22 will receive both types 22 and 26 of article holders.

24

Appli. No. 10/935,290  
Amendment dated October 27, 2003  
Reply to Office Action dated October 8, 2003

The Examiner states “more specifically, it was never taught in the specification that article securement means including *strap means* could comprise a pair of base units interconnected by a connector. The pair of base units interconnected by a connector was described with respect to the bifurcated arms not the strap means.”

In the Specification, page 8, lines 12-17, it is clear that a plurality of spaced apart base holding units 22 can be mounted to a bar 134. Each base holding unit has an article holder 26 (with bifurcated arms). However, as previously noted, each article holder may alternatively have an article holder 24 affixed thereto. The article holder 24, of course, has been specifically disclosed as having bifurcated arms in the form of gripper straps. Thus, even though the drawings show a pair of spaced apart base holding units 22 mounted to a bar 134 and having an article holder 26 affixed thereto, as already disclosed that article holder 24 can as well be affixed to the base holding unit 22. It is apparent that the disclosure clearly sets forth that a plurality of base holding units can be connected together and that each base holding unit can receive an article holder. The article holder may be of either type disclosed in the Specification.

It is submitted that the rejection under 35 USC 112 is improper and should be withdrawn.

The Examiner states “additionally, the arms 96 and 98 were elected in the parent application, not the current application.” Applicants note that the claims presented in the present application were the same claims required to be divided by the Patent Office in

Appli. No. 10/935,290  
Amendment dated October 27, 2003  
Reply to Office Action dated October 8, 2003

the parent application. Obviously, these claims were not elected in the parent application and are properly in the current application.

The Examiner in rejecting Claims 1-7 under 35 USC 112, second paragraph, states that Claim 1 recites limitation "said sprocket" in line 9. There is insufficient antecedent basis for this limitation in the claim. Applicants agree and the typographical error of "sprocket" for -socket- has now been corrected. It is believed that other phrases identified by the Examiner as being unclear are now corrected by the amendments to the claims.

**Claim Rejections 35 USC Sec 102**

Claim 1 has been rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 4,667,530 to Metiler.

It is noted that Metiler is a totally non-analogous reference directed to a variable length shaft assembly, particularly for motor vehicle steering shafts. Nevertheless, Claim 1 has now been amended to specifically call for a platform having a top surface and a bottom surface with a V-notch formed in the bottom surface and extending across said platform. The claim has also been amended to call for means for securing said V-notch of said platform to a tubular surface. Claim 1 has also been amended to specify that the bifurcated arms are affixed and extending from opposite sides of the interiorly splined socket. Metiler fails to show a platform having a top surface and a bottom surface with a V-notch and it does not disclose bifurcated arms affixed to opposite sides of a socket and

Appli. No. 10/935,290  
Amendment dated October 27, 2003  
Reply to Office Action dated October 8, 2003

extending from opposite sides of the interiorly splined socket. Rather, the clevis shown by Metiler is mounted to the top of the interiorly splined socket and it is not clear whether the clevis 6 is rotatable on the end of the socket or is affixed to the end of the socket. It is submitted that Claim 1 clearly defines patentably over the disclosure of the Metiler patent.

**Claim Rejections 35 USC Sec 103**

The Examiner has rejected Claims 1-3 under 35 USC 103(a) as being unpatentable over U.S. Patent No. 4,527,760 to Salacuse. It is noted that Salacuse, like patents previously cited by the Examiner, does not include an interiorly splined socket fitting over and cooperating with an exteriorly splined shaft extending from a platform and attached to an article holder. Salacuse does not disclose a splined connection. Rather, Salacuse discloses locking arms 76 and 78 that are inserted through slots 90 and 92 and then are rotated to be wedge locked in place. This, is not a splined connection. Nevertheless, in an earnest attempt to advance prosecution of the case, Applicants have amended the claims to even more clearly distinguish over the Salacuse reference. The Examiner refers to members 19 and 20 of Salacuse comprising "at least one flexible vein" such as is called for by Applicants' claims "when article holder is closed". When the article holder of Salacuse is closed, the members 19 and 20 do not constitute vanes. Rather, they constitute encirclement means for passing around an article secured between members 24 and 34.

Appli. No. 10/935,290  
Amendment dated October 27, 2003  
Reply to Office Action dated October 8, 2003

Reconsideration and allowance of the claims now in the case, including previously withdrawn Claim 8, are requested.

RESPECTFULLY SUBMITTED this 30 day of October, 2003.

  
Dennis Hancock, Applicant  
Telephone: (801) 876-2159